



PLACER COUNTY PLANNING DEPARTMENT

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 JUL 27 2010

PLANNING APPEALS

CDRA

The specific regulations regarding appeal procedures may be found in the Placer County Code, Chapters 16 (Subdivision), 17 (Planning and Zoning), and 18 (Environmental Review Ordinance).

PSUB-20074032

-----OFFICE USE ONLY-----

Last Day to Appeal 8/2/10 (5 pm) Appeal Fee \$ \$504.00
 Letter _____ Date Appeal Filed 7/27/10
 Oral Testimony _____ Receipt # 10-0068076
 Zoning RS-AB-B-100 PD=0.83 Received by ED B
 Maps: 7-full size and 1 reduced for Planning Commission items Geographic Area SOUTH TEAM

-----TO BE COMPLETED BY THE APPLICANT-----

- Project name RANCHO DEL ORO ESTATES
- Appellant(s) MARCUS J. LO DUCA
 Address 3721 DOUGLAS BLVD., STE 300 Telephone Number 916-774-1636 Fax Number 916-774-1646
Roseville CA 95661 City State Zip Code
- Assessor's Parcel Number(s): 046-090-012
- Application being appealed (check all those that apply):

<input type="checkbox"/> Administrative Approval (AA-_____)	<input checked="" type="checkbox"/> Tentative Map (SUB-_____)
<input type="checkbox"/> Use Permit (CUP/MUP-_____)	<input checked="" type="checkbox"/> Variance (VAA-_____)
<input type="checkbox"/> Parcel Map (P-_____)	<input type="checkbox"/> Design Review (DSA-_____)
<input type="checkbox"/> General Plan Amendment (GPA-_____)	<input type="checkbox"/> Rezoning (REA-_____)
<input type="checkbox"/> Specific Plan (SPA-_____)	<input type="checkbox"/> Rafting Permit (RPA-_____)
<input type="checkbox"/> Planning Director Interpretation _____ (date)	<input type="checkbox"/> Env. Review (EIAQ-_____)
<input type="checkbox"/> Minor Boundary Line Adj. (MBR-_____)	<input type="checkbox"/> Other: _____
- Whose decision is being appealed: PLANNING COMMISSION
(see reverse)
- Appeal to be heard by: BOARD OF SUPERVISORS
(see reverse)
- Reason for appeal (attach additional sheet if necessary and be specific):
SEE ATTACHED.

(If you are appealing a project condition only, please state the condition number)

Note: Applicants may be required to submit additional project plans/maps.

Signature of Appellant(s)

[Handwritten Signature]

APPEAL OF MARCUS J. LO DUCA
REGARDING THE PLACER COUNTY PLANNING COMMISSION'S DENIAL
OF THE VARIANCE AND APPROVAL OF CERTAIN CONDITIONS OF
THE VESTING TENTATIVE SUBDIVISION MAP FOR RANCHO DEL ORO
ESTATES

For the Rancho Del Oro Estates project (the "Project"), the appellant appeals the Planning Commission's action to deny the variance to allow entry gates up to 8 feet tall, and the Planning Commission's action to modify conditions to the Project's vesting tentative subdivision map, as follows: (1) amended Conditions 3, 8 and 57(a); and, (2) added Condition 57(m) and Condition 131(e), the latter of which requires the Project's covenants, conditions and restrictions to allow agricultural uses in the Project, including the keeping of livestock.

The basis of this appeal is that the evidence in the administrative record before the Planning Commission did not support the Planning Commission's actions that are the focus of this appeal, but instead the evidence supported the Project as presented by the applicant for the Project. In denying the requested variance, the Planning Commission deprived the applicant of privileges enjoyed by other properties in the vicinity under the same circumstances in the same zone district, and the evidence in the administrative record failed to support any findings of the Planning Commission in denying the variance.